

## Article - Natural Resources

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§5–215.

(a) In this section, “Fund” means the Deep Creek Lake Recreation Maintenance and Management Fund.

(b) There is a Deep Creek Lake Recreation Maintenance and Management Fund in the Department for the maintenance and management of the land, recreational facilities, and services that are related to Deep Creek Lake in Garrett County.

(c) (1) Except as provided in paragraphs (2) and (4) of this subsection, the Department shall pay all fees collected for boat launching at Deep Creek Lake State Park, all funds collected from lake and buffer use permits, contracts, grants, and gifts as a result of the Deep Creek Lake management program, and any investment earnings of the Fund, into the Fund.

(2) At the end of each quarter of the fiscal year, the Department shall pay 25% of the total revenue collected during the quarter under paragraph (1) of this subsection to the Board of County Commissioners of Garrett County.

(3) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(ii) Any investment earnings of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund.

(4) Money in the Fund may be used for administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(d) Unless there is an agreement between the Secretary and the Deep Creek Lake Policy and Review Board as to a proposed change, the fee for issuance and processing of any permit covered under subsection (c) of this section may not be changed.

(e) (1) Before the Department and the Deep Creek Lake Policy and Review Board may change any fee for the issuance and processing of any permit covered under subsection (c) of this section, the Secretary shall hold a public hearing in Garrett County.

(2) Notice of the public hearing shall be published in two newspapers of general circulation in Garrett County at least 30 days before the hearing.

(3) The notice shall include the proposed change in the fee and the reason for the fee.

(f) (1) A person may apply to the Department for a lake and buffer use permit.

(2) A person who is aggrieved by a decision of the Department to issue or deny a lake and buffer use permit may seek judicial review of the decision in accordance with Title 10, Subtitle 2 of the State Government Article.

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